

REMARKS

This supplemental amendment is being presented to make even more clear that with respect to the independent claims: the level compensating film recited in claims 14 and 15 is between a metal wiring layer, the second layer of the upper insulating film recited in claim 22 is between a metal wiring layer, and the spin on glass film of the interlayer insulating film recited in claim 25 is between a metal wiring layer. The new dependent claims require the wire layer to be in the same plane as the level compensating layer.

A level compensating film (10b) is shown between a metal wiring layer (9a, 9b) in, for example, Figure 6 of this application. The metal wiring layer has a vertically irregular shape (9a, 9b) and includes depressions and openings at the level of the metal wiring layer. The level compensating film (10b) fills in portions of the wiring layer that are open or from depressions in the layers of the semiconductor device. The level compensating film evens the layers of the semiconductor device to compensate for the wiring layer. An exemplary level compensating film is shown in Figure 6 in which the film is in the same plane(s) as is the wiring layer so as to compensate for the vertical irregularities of the wiring layer.

In contrast to the claimed invention, Narui does not teach placing a level compensating film between metal wiring layers or a level compensating film on the same level as a wiring layer.

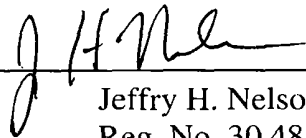
TOYOSAWA et al
Serial No. 09/598,169

All claims are in good condition for allowance. If any small matter remains outstanding, the Examiner is requested to telephone applicants' attorney. Prompt reconsideration and allowance of this application would be appreciated.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Jeffrey H. Nelson
Reg. No. 30,481

JHN:maw
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100